

Agency Referring the Case EPA-OIG	Agency Case or Referral Number (b)(7)(A)	Case Referred to: <input checked="" type="checkbox"/> DOJ, Public Integrity Section, Criminal Division <input type="checkbox"/> U.S. Attorney for (district) _____ <input type="checkbox"/> DOJ, other _____
Date of Referral to DOJ December 8, 2010	Name of Employee Involved in Case (optional), Agency, and Agency Component Where he/she was Employed. _____ Environmental Protection Agency, Office of Air and Radiation, Washington, D.C.	

PART I ETHICS TRAINING

Is there any evidence the individual received ethics training? ☐ YES ☒ NO ☐ UNCLEAR (b)(7)(A)

PART II STATUTE(S) INVOLVED IN THIS CASE

(b)(7)(A) ☐

18 U.S.C. § 203 (Compensation for Representation Affecting the Government)
 Federal entity before which representation occurred: (b)(7)(A)
 Compensated representation on behalf of: (b)(7)(A)
 Were representational services rendered or to be rendered: ☐ by the employee ☐ or by another? (b)(7)(A)

(b)(7)(A) ☐

18 U.S.C. § 205 (Representation Affecting the Government)
 Federal entity before which representation occurred: (b)(7)(A)
 Representation on behalf of: (b)(7)(A)

(b)(7)(A) ☐

18 U.S.C. § 207 (Post-Employment)
 Federal entity before which representation occurred:
 Representation on behalf of:
 Was the communication/representation: ☐ oral? ☐ and/or written?
☐ Former employee termination service before January 1, 1991. Check subsections involved:
☐ 207(a) ☐ 207(b)(1) ☐ 207(b)(2) ☐ 207(c)
☐ Former employee termination service on or after January 1, 1991. Check subsections involved:
☐ 207(a)(1) ☐ 207(a)(2) ☐ 207(b) ☐ 207(c) ☐ 207(d) ☐ 207(f)
 If 207(b) or 207(f) is checked, was behind-the-scenes aid or advice involved? ☐ Yes ☐ No (b)(7)(A)

(b)(7)(A) ☐

18 U.S.C. § 208 (Acts Affecting a Personal Financial Interest)
 Does the case involve the financial interest: ☐ of the employee? ☐ of the employee's spouse?
☐ Minor child? ☐ A firm with which the employee was negotiating for employment?
☐ Other? (specify) (b)(7)(A) (b)(7)(A)
 Was a waiver sought? ☐ Yes ☐ No Was it granted? ☐ Yes ☐ No
 Was the employee required to file a financial disclosure form? ☐ Yes ☐ No If yes, check form involved:
☐ SF 278 ☐ OGE Form 450 ☐ Other (specify)
 If so, was the basis for the interest disclosed on the financial disclosure form? ☐ Yes ☐ No (b)(7)(A)

(b)(7)(A) ☐

18 U.S.C. § 209 (Supplementation of Salary)
 Type of supplementation (meals, travel, cash, etc.): (b)(7)(A)
 Value of supplementation: \$ (b)(7)(A) Number of supplements: (b)(7)(A)

(b)(7)(A) ☐

Additional Statutes Involved in Conflict of Interest Referrals
 Was 18 U.S.C. § 201 (bribery/gratuity) involved? ☐ Yes ☐ No
 Was 5 U.S.C. App. (Ethics in Government Act) § 501 (outside earned income) involved? ☐ Yes ☐ No
 Was 5 U.S.C. App. (Ethics in Government Act) § 502 (outside employment) involved? ☐ Yes ☐ No
 Was 18 U.S.C. § 1001 (false statements) involved? ☐ Yes ☐ No
 Was 5 U.S.C. App. (Ethics in Government Act) § 101 et seq. (Financial disclosure) involved? ☐ Yes ☐ No
 Other (list): (b)(7)(A)

(b)(7)(A) ☐

Agency Contact/Telephone Number

Michael Daggett, 202-566-0821

Date _____

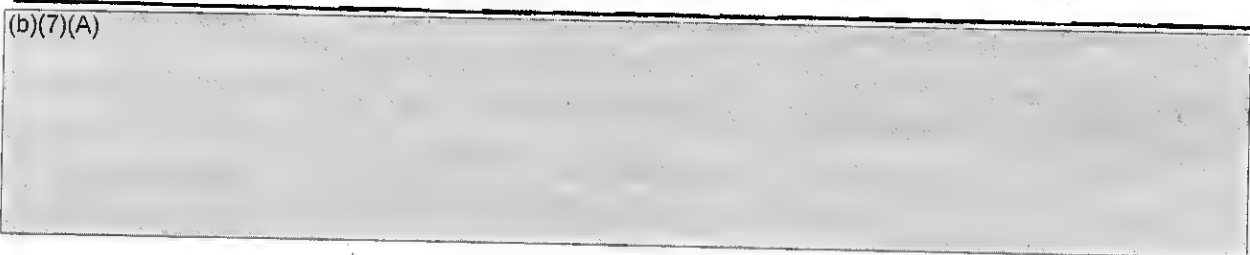
February 2, 2011

OGE Form 202 (11/04)

Statutory/Regulatory Background

28 U.S.C. § 535 requires every department or agency to report to the Attorney General any information, allegations, or complaints relating to violations of title 18 of the United States Code involving Government employees, including possible violations of 18 U.S.C. § 207 by former Government employees. The Director of the Office of Government Ethics (OGE), in accordance with 5 U.S.C. App. § 402(a)(2), has promulgated regulations at 5 C.F.R. § 2638.603 requiring agencies to concurrently notify the Director when any matter involving a violation of 18 U.S.C. §§ 203, 205, 207, 208, and/or 209 is referred to the Department of Justice pursuant to 28 U.S.C. § 535. Such notification may be accomplished by providing a copy of the referral document or by submitting this optional form, unless such notification would otherwise be prohibited by law. OGE regulations also require that the department or agency subsequently notify the Director of the referral's disposition, including any disciplinary or corrective action taken by the department or agency. 5 C.F.R. § 2638.603(c). Information relating to the disposition of a referral may be communicated to the Director in writing.

(b)(7)(A)



PART IV DISPOSITION OF REFERRAL (OGE use only):

(b)(7)(A)

☐

DOJ declined prosecution.

(b)(7)(A)

☐

DOJ initiated prosecution.

Resolution:

Agency disciplinary or corrective action, if any: